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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,913	02/12/2004	Brandon Shane Skidgel	17448-54409-B	6072

7590 12/09/2008  
J. Charles Dougherty  
Wright, Lindsey & Jennings LLP  
Suite 2300  
200 West Capitol Avenue  
Little Rock, AR 72201

EXAMINER
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SIDDIQI, MOHAMMAD A

ART UNIT	PAPER NUMBER
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2454

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/777,913	<b>Applicant(s)</b> SKIDGEL, BRANDON SHANE	
	<b>Examiner</b> MOHAMMAD A. SIDDIQI	<b>Art Unit</b> 2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02/12/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/12/2004, 01/07/2008</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

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### **DETAILED ACTION**

1. Claims 1-19 are presented for examination.
2. The information disclosure statement (IDS) submitted on 02/12/2004 and 01/07/2008 have been considered by the examiner.

#### ***Claim Rejections - 35 USC § 101***

3. Claims 1-5 and 15-19 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claims raises a question as to whether the claims are directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful and tangible result. The co-browsing, first web browser, and second browser are software constructs (software per se) performing various functionalities. These functionalities do not manipulate any hardware or tangible entity. Therefore, these software constructs are non statutory entities as detailed in MPEP 2106.

#### ***Claim Rejections - 35 USC § 112***

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4. Claims 4, 6 , and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The “first web page and said second web page are **substantially** identical in appearance” renders indefinite.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Jellum et al. (6,915,482) (Hereinafter Jellum).

7. As per claim 1, Jellum discloses A co-browsing system, comprising:

(a) a network (col 2, lines 35-45);

(b) a web service (col 3, lines 27-31);

(c) a first web browser in communication with said web service across said network (col 2, lines 36-57), said first web browser (col 2, lines 40-41) comprising an event handler operable to transmit a change event (actual content change, col 4, line 46) from said

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first web browser to said web service across said network (monitoring, col 2, lines 6-12; col 3, lines 10-26); and

(d) a second web browser in communication with said web service across said network (col 2, lines 36-57), said second web browser (col 2, line 51) comprising a polling service operable to periodically poll (col 7, line 63 – col 8, line 11) said web service across said network for the presence of any said change events originating at said first web browser (monitoring, col 2, lines 6-12; col 3, lines 10-26).

8. As per claim 2, Jellum discloses wherein said change events comprise a change event identifier and a change event value (col 2, lines 36-57).

9. As per claim 3, Jellum discloses further comprising a data store in communication with said web service, wherein said data store is operable to store said change events (col 2, lines 36-57).

10. As per claim 4, Jellum discloses further comprising a web server (col 2 lines 36—57), a first web page hosted at said web server, and a second web page hosted at said web server, wherein said first web page is operable to be downloaded from said web server to said first web browser (col 2, lines 40-41), said second web page is operable to be downloaded from said web server to said second web browser, and said first web page and said second web page are substantially identical in appearance (col 2, lines 36-57).

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11. As per claim 5, Jellum discloses wherein said first web page comprises at least one readable and writeable control, and said second web browser comprises at least one corresponding read-only control (col 5, lines 1-25).

12. As per claim 6, Jellum discloses A method for initiating a co-browsing session, comprising the steps of:

(a) providing a data entry web page from a web server to a first web browser network (col 2, lines 36-57);

(b) receiving an activation signal at the web server from the first web browser network (col 2, lines 36-57);

(c) providing a contact web page from the web server to the first web browser, wherein the contact web page comprises a session identifier network (monitoring, col 2, lines 36-67; col 3, lines 10-26);

(d) receiving at a second web browser the session identifier network (col 2, lines 36-67; col 3, lines 10-26);

(e) transmitting the session identifier to the web server network (col 2, lines 36-12; col 3, lines 10-44); and

(f) providing a first web page from the web server to the first web browser, and a second web page from the web server to the second web browser (col 3, lines 27-33), where the first and second web pages are substantially identical in appearance (col 2, lines 36-57; col 5, lines 1-25).

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13. As per claim 7, Jellum discloses wherein the data entry web page comprises a request assistance link, and the activation signal is associated with the request assistance link (URL, col 7, lines 36-49).

14. As per claim 8, Jellum discloses wherein the contact web page comprises contact information (col 7, lines 55-65).

15. As per claim 9, Jellum discloses wherein the contact information comprises a telephone number (col 7, lines 55-65).

16. As per claim 10, Jellum discloses further comprising the step of providing a session identifier entry web page from the web server to the second web browser )col 2, lines 36-57).

17. As per claim 11, Jellum discloses wherein the first web page is writeable, and the second web page is read-only (col 5, lines 1-25).

18. As per claim 12, Jellum discloses A co-browsing method, comprising the steps of:

(a) receiving at a writeable web page at a first web browser a change event (col 2, lines 36-57; col 3, lines 10-24);

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(b) transmitting the change event from the first web browser across a network to a web service (col 2, lines 36-57; col 3, lines 10-24);

(c) initiating a polling request the web service for a change event from a second web browser across the network (col 7, line 63 – col 8, line 11);

(d) transmitting the change event from the web service to the second web browser in response to the polling request (col 2, lines 36-57; col 3, lines 10-24); and

(e) updating a read-only web page at the second web browser based on the change event (content change, col 2, lines 36-57; col 3, lines 10-24).

19. As per claim 13, Jellum discloses wherein said change event comprises a change event identifier and a change event value (col 2, lines 36-57).

20. As per claim 14, Jellum discloses further comprising the step of storing said change event in a data store in communication with the web service (col 2, lines 36-57; col 3, lines 10-24).

21. As per claim 15, Jellum discloses A co-browsing system, comprising:

(a) a network (col 2, lines 35-45);

(b) a server system communicatively connected to said network, said server system comprising a web server and a web service (col 3, lines 27-31) ;

(c) a first client communicatively connected to said network (col 2, lines 36-57), said first client comprising a first web browser (col 2, lines 40-41), and said first web browser



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comprising an event handler operable to transmit a change event (actual content change, col 4, line 46) from said first web browser to said web service across said network (monitoring, col 2, lines 6-12; col 3, lines 10-26) and

(d) a second client communicatively connected to said network (col 2, lines 36-57), said second client comprising a second web browser (col 2, line 51), and said second web browser comprising a polling service operable to periodically poll (col 7, line 63 – col 8, line 11) said web service across said network for the presence of any said change events originating at said first client (monitoring, col 2, lines 6-12; col 3, lines 10-26).

22. As per claim 16, Jellum discloses wherein said change events comprise a change event identifier and a change event value (col 2, lines 36-57).

23. As per claim 17, Jellum discloses further comprising a data store in communication with said server system, wherein said data store is operable to store said change events (col 2, lines 36-57).

24. As per claim 18, Jellum discloses further comprising a first web page hosted at said web server(col 2 lines 36-57),, and a second web page hosted at said web server, wherein said first web page is operable to be downloaded from said web server to said first web browser(col 2, lines 40-41), said second web page is operable to be downloaded from said web server to said second web browser, and said first web page

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and said second web page are substantially identical in appearance (col 2, lines 36-57).

25. As per claim 19, Jellum discloses wherein said first web page comprises at least one readable and writeable control, and said second web browser comprises at least one corresponding read-only control (col 5, lines 1-25).

### ***Conclusion***

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent 7,188,114

U.S. Patent 7,194,553

U.S. Patent 7,386,555

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD A. SIDDIQI whose telephone number is (571)272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MS

/Nathan J. Flynn/  
Supervisory Patent Examiner, Art Unit 2454